

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Group:

Attorney Docket # 3812

Applicant(s): AWENGEN, D., ET AL

Serial No.: 10/586,718

Filed: 03/28/2007

For: AUDITORY OSSICLE PROTHESIS WITH TUNING  
OPTION

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

April 28, 2008

Sir:

The subject application was filed without signature of the inventors.

Executed application papers and a new set of formal drawings are submitted herewith.

It is respectfully requested that the required fee of \$65.00 be charged to the account of the undersigned (19-4675).

Respectfully submitted,

~~Michael J. Striker~~  
~~Attorney for Applicant(s)~~  
~~Reg. No. 27233~~



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,718	Daniel Felix AWENGEN	3812
INTERNATIONAL APPLICATION NO.		
PCT/EP05/00528		
I.A. FILING DATE	PRIORITY DATE	
01/20/2005	01/23/2004	

278  
MICHAEL J. STRIKER  
103 EAST NECK ROAD  
HUNTINGTON, NY 11743

**CONFIRMATION NO. 8211**  
**371 FORMALITIES LETTER**



Date Mailed: 04/22/2008

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 07/20/2006
- English Translation of the IA filed on 07/20/2006
- Copy of the International Search Report filed on 07/20/2006
- Copy of IPE Report filed on 07/20/2006
- Copy of Annexes to the IPER filed on 07/20/2006
- Preliminary Amendments filed on 03/28/2007
- Information Disclosure Statements filed on 07/20/2006
- Oath or Declaration filed on 07/20/2006
- Request for Immediate Examination filed on 07/20/2006
- Copy of references cited in ISR filed on 07/20/2006
- U.S. Basic National Fees filed on 07/20/2006
- Priority Documents filed on 07/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

Additionally the following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

---

Telephone: (703) 308-9140 EXT 208